

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION**

Zach Westbrook , et al. §
§
§
v. § Civil Action 2:14-cv-00131
§
Advanced Solids Control, LLC §

SCHEDULING ORDER

1. **JURY SELECTION/TRIAL** is set for April 8, 2016 at 09:00 AM before United States District Judge Nelva Gonzales Ramos at the United States District Courthouse, Third Floor Courtroom (310), 1133 N. Shoreline Blvd., Corpus Christi, Texas. If the parties are prepared for trial before this date, a Joint Motion and Proposed Order indicating that the case is ready for trial and requesting an earlier date may be filed with the Court.
2. The deadline for **JOINDER OF PARTIES AND AMENDMENT OF PLEADINGS** is June 1, 2015. This provision does not relieve the parties from the requirement of obtaining leave to file the pleading or add parties whenever required by the Federal Rules of Civil Procedure (e.g., FED. R. CIV. P. 15(a)(2)).
3. **DESIGNATION OF EXPERTS BY PLAINTIFFS** must take place on January 4, 2016. **DESIGNATION OF EXPERTS BY DEFENDANTS** must take place on February 4, 2016. Written reports by experts under FED. R. CIV. P. 26(a)(2)(B) are due at the time of designation of each expert. Parties are ordered to file only a list of proposed witnesses with the Court pursuant to FED. R. CIV. P. 26, but **NOT** reports or other discovery materials.
4. A **DEMAND LETTER** must be presented to Defendant(s) no later than October 15, 2015, and a **RESPONSE** is due **thirty (30) business days** after receipt of the demand letter. The parties shall not file the demand or response with the Court; however, a **STATEMENT OF INTENT REGARDING MEDIATION** must be filed with the Court on December 1, 2015.
5. **DISCOVERY** shall end on January 4, 2016.
6. A **STATUS CONFERENCE** will be held on January 13, 2016 at 09:00 AM. The Parties should be prepared to discuss discovery, any pending motions, any additional motions practice anticipated by the parties, the possibility of settlement, and mediation.
7. **MOTIONS.** Except for good cause, the deadline for filing all **DISPOSITIVE AND DAUBERT MOTIONS** is on January 4, 2016. Pursuant to Local Rule 7.4, failure to respond by the submission date provided by Local Rule or as modified by the Court will be considered by the Court as if the motion is unopposed, and the motion may be granted. **The parties are ordered to comply with page limits and formatting requirements set forth below. No party may file more than one summary judgment motion without first obtaining leave of court.**
8. The parties' **JOINT PRETRIAL ORDER** shall be filed no later than March 8, 2016. Plaintiff(s) will be responsible for the filing of a Joint Pretrial Order, executed by the attorney-in-charge for each party, and conforming fully with the form set out in Appendix B of the Local Rules of the Southern District of Texas. This satisfies the requirements of FED. R. CIV. P. 26 (a)(3). Plaintiff(s) shall allow all parties at least **fifteen (15) business days** for review and contribution. In the event of any failure to cooperate in signing the Joint Pretrial Order, a party may file, by the Joint Pretrial Order deadline, a motion for leave to file a Joint Pretrial Order without the signature of all counsel, showing good cause. Differences of the parties with respect to any matter relevant to a pretrial order will be set forth in the Joint Pretrial Order at the appropriate place. Willful or indifferent failure to submit a well-prepared Joint Pretrial Order in a timely fashion or to respond

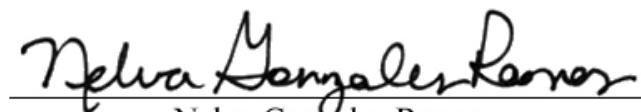
to its completion is cause for dismissal in the case of Plaintiff, or in the case of Defendant, is cause for default. Parties are also ordered to submit objections to deposition testimony with the Joint Pretrial Order.

9. **DISPUTES REGARDING MATTERS ACCOMPANYING JOINT PRETRIAL ORDER.** Parties are ordered to confer on motions in limine, exhibit and witness lists, depositions excerpts, and any other document submitted with the Joint Pretrial Order to eliminate matters on which the parties can agree. Parties are ordered to file with the Court any remaining objections to those documents no later than April 1, 2016.
10. **FINAL PRETRIAL CONFERENCE** is set for April 8, 2016 at 09:00 AM before United States District Judge Nelva Gonzales Ramos at the United States District Court, Third Floor Courtroom (310), 1133 N. Shoreline Blvd., Corpus Christi, Texas. The attorney-in-charge for each party is required to be present.
11. **PAGE LIMITES AND FORMATTING.** All pleadings, motions, briefs, memoranda, and requests for affirmative relief will be directed to the Court in **pleading form**, not correspondence form, through efilng in the CM/ECF system or through the United States District Clerk in Corpus Christi, Texas:

United States District Clerk
Corpus Christi Division
Southern District of Texas
1133 N. Shoreline Blvd.
Corpus Christi, TX 78401

You are requested **NOT** to use the informality of letter briefs, letters citing authorities, or letters requesting continuances or other affirmative relief. Additionally, do not copy the Court on letters between the parties. Local Rule 7 provides deadlines for pre-trial motions. Failure to respond within the deadline may result in the granting of the relief requested. Legal memoranda greater in length than **twenty-five (25) pages** shall **NOT** be filed without leave of Court. Page limits may not be circumbented by font less than 12-point (13-point font or larger is preferred), margins less than one inch, or line spacing less than double (with the exception of appropriate block indents and footnotes). If deposition testimony is attached as an exhibit, it shall be submitted in the condensed or mini-script format, i.e., four pages to one page.

ORDERED the 21st of April 2015.



Nelva Gonzales Ramos
United States District Judge